

NLC to probe how Italian tycoon acquired land in Funzi Island

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Mzee Hamisi Mwatende when appeared before the National Land Commission committee on land injustices at the Kenya School of Government in Mombasa on August 29, 2018. He is claiming ownership of 62 acres of land on Funzi Island that was transferred to an Italian tycoon, Alessandro Torriani. PHOTO | LABAN WALLOGA | NATION MEDIA GROUP

By
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What you need to know:

- On Wednesday, it emerged that 62 acres of the island belong to Mr Hamisi Mwatende, who, the commission said, held the first title.

- Mr Mwatende, 82, is now living as a squatter despite documents showing he is the sole owner of LR NO KWL/FUNZI/64, the commission heard.

- Mr Mwatende said he has been receiving threats from land officials in Kwale whenever he inquired into the matter.

The National Land Commission (NLC) has launched investigations to establish how Italian tycoon Alessandro Torriani acquired the famous Funzi Island in Kwale.

On Wednesday, it emerged that 62 acres of the island belong to Mr Hamisi Mwatende, who, the commission said, held the first title.

But, when he got before the commission's committee on historical land injustices, sitting at the Kenya School of Government in Mombasa, Mr Mwatende said he has been left with only a makuti -thatched house and not a single acre of land.

RECEIVED THREATS

Mr Mwatende, 82, is now living as a squatter despite documents showing he is the sole owner of L.R NO. KWL/FUNZI/64, the commission heard.

Mr Mwatende said he has been receiving threats from land officials in Kwale whenever he inquired into the matter.

The commission chaired by Dr Samuel Tororei said it was not clear how the land was transferred from Mr Mwatende to five other people before it was acquired by Mr Torriani.

The five were identified as Mr James Gakunya Kahiu, Mr Daniel Kibuka Gikonyo, **Mr Frank Gitau Njenga**, Mr Lawrence Kinyanjui Gitau and Ms Betty Muthoni Gikonyo. The commission said these were "prominent people".

SH1.6 BILLION

According to documents obtained by NLC, commissioner Emma Njogu said that it was not clear how the land was transferred to these people and later to the Italian businessman.

Mr Torriani, who is settled at South Coast, built Funzi Keys Resort, which closed recently due to low tourist arrivals. He is said to own Funzi and other small islands in Kwale.

A few years ago, reliable sources revealed that he put some of the properties up for sale.

He was selling one piece for USD16 million (Sh1.6 billion), a price tag that raised eyebrows among local residents who have clashed with him over ownership of some islands and for cutting down indigenous forest aged about 100-years-old. Some of the gazetted islands were reclaimed by the government.

TRANSACTION

"From what we are seeing, there is something which was being cooked but the cook failed to prepare good food. We will go deeper to establish what went wrong," said Dr Tororei.

The commission said it would summon an official from the registrar of land in Kwale. This is after Mr Mwatende said the official was behind his woes.

It further emerged that some transactions might have taken place, with Mr Mwatende receiving Sh500,000.

His relative, Mr Bashir Betawa, who assisted Mr Mwatende in his presentation to the commission, said unknown people approached the latter and money changed hands.

“But we keep wondering how someone could sell a beach plot at Sh500,000. And what shocks us is that the old man is not in possession of the transaction documents,” said Mr Betawa.

OWNERSHIP

The commission said that, from the presentations, it was clear that Mr Mwatende had been conned, adding that their investigations would focus on establishing how this fraud was carried out.

“What might have happened is that the old man could have been tricked and we will ensure we bring that to light,” said Dr Tororei.

Meanwhile, the commission has asked parties claiming ownership of a 135-acre piece of land in Utange, Mombasa, to submit their documents in 14 days, proving how they came to be in possession of the land, as it continues with its investigations.

Some 527 families, including that of Mr Jonathan Njenga Kagiri, are claiming ownership of the land, which has been in contention for nine years now.